

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 21, 1860.—Ordered to be printed.

Mr. BRAGG submitted the following

REPORT.

The Committee on Claims, to whom was referred the memorial of John H. Wickizer, have had the same under consideration, and submit the following report:

The memorialist states that he was induced by J. Neely Johnson, marshal of the State of California, in the year 1850, to act as assistant, and take the census in the counties of Santa Cruz and Monterey, upon a promise that his reasonable expenses and a fair compensation for so doing should be allowed him by the United States; that he was two and a half months engaged in taking the census; that his actual expenses were four hundred and ninety-eight dollars, and that he had received as pay only three hundred and sixty-three dollars, which he is informed is full pay under the act of Congress for taking the census in California.

The committee deemed it advisable to apply to the Department of the Interior for information, and received the accompanying letter from the Secretary, which they submit as a part of this report.

It appears therefrom that the memorialist received all the pay he was entitled to under the law, being double the rate of pay in the older States. If any such promise was made to him by the United States marshal, as that stated by him, it was made without authority of law, and it was the folly of the memorialist to rely upon the same. The committee are of opinion, however, that he has been fully compensated for his services—the letter of the Secretary of the Interior showing that he was engaged only sixteen days in making the enumeration. They recommend that the prayer of the memorialist be denied, and that the accompanying resolution be adopted by the Senate.

Resolved, That the claim of John H. Wickizer, for extra compensation for taking the census under the act of Congress, 1850, in the counties of Monterey and Santa Cruz, in the State of California, be and the same is hereby rejected.

DEPARTMENT OF THE INTERIOR,
Washington, February 14, 1860.

SIR: In response to your communication of yesterday, accompanied by the petition of John H. Wickizer, an assistant employed in taking

the seventh census in the counties of Santa Cruz and Monterey, California, I would state that under the twelfth and thirteenth sections of the law of May 23, 1850, and the third section of the law of August 30, 1850, this petitioner was, for his services, entitled to the sum of \$186 50. Under the provision of the first section of the law last recited, leaving discretionary with the Secretary of this department the increase of the compensation of the assistants in California, &c., so as to cause the prompt and faithful execution of the work, this petitioner was allowed and paid the further sum of \$186 50, whereby his pay was precisely double what it would have been had he performed a like amount of service in the older States.

The better to enable you to determine the sufficiency of the compensation allowed to this petitioner, I will state further, that while by a letter of his, on file in this department, under date of April 12, 1852, he claims for *sixty* days service, including time devoted to copying his returns, and in his petition claims two and a half months, *the entries on his returns*, whereon he was required by law to enter each and every day's service, indicate that he was engaged only *sixteen days in the work of enumeration*.

It further appears that he received the sum of \$373 in place of \$363, as stated in his petition.

With an understanding of these facts, the committee will be able to determine whether the petitioner is entitled to additional compensation.

The memorial of this petitioner is herewith returned.

I have the honor to be, with great respect, your obedient servant,
J. THOMPSON, *Secretary*.

Hon. THOMAS BRAGG,
Senate of the United States.